



Attorney's Docket No.: 042390.P3373

Patent #

10/10/01

In re the Application of: James E. Akiyama

(inventor(s))

Application No.: 09/ 164,898

RECEIVED

OCT 05 2001

Filed: October 1, 1998

For: Virtualized Stripping Controller

Technology Center 2100

(title)

Group Art Unit: 2186 Examiner: Vital, P.

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated June 28, 2001 of the Examiner rejecting claims 1-3, and 7-18.

The item(s) checked below are appropriate:

The following is the Notice of Appeal fee under 37 C.F.R § 1.17(e):

a. other than small entity: fee \$ 310.00

b. small entity: fee \$ 150.00

verified statement attached

verified statement was filed _____.

A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with a check for the fee for the extension of time.

Enclosed is a check in the amount of \$ 310.00 for the Notice of Appeal fee.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on September 28, 2001
Date of Deposit

Debbie Peloquin

Name of Person Mailing Correspondence

Debbie Peloquin
Signature

September 28, 2001

Date

10/04/2001 SLUANG1 00000054 022666 09164898

01 FC:119 10.00 CH 310.00 0P

Docket No.: 042390.P3373

Application No.: 09/164,898

Please charge the Notice of Appeal fee to Deposit Account Number 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

XXX If any additional fee is required, please charge Deposit Account No. 02-2666.
A duplicate of this sheet is enclosed for Deposit Account charging purposes.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: September 28, 2001

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(303) 740-1980



Mark J. Fink
Reg. No. 45,270

OCT 03 2001

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) 310.00

PAPERS RECEIVED

Application No. 09/164,898
 Filing Date October 1, 1998
 First Named Inventor James E. Akiyama
 Group Art Unit 2186
 Examiner Name Vital, P.
 Attorney Docket No. 42390P3373

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OCT 05 2001

Technology Center 2100

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid		
Fee	Fee	Fee			
Code	Fee	Code			
101	710	201	355	Utility application filing fee	_____
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____

SUBTOTAL (1) \$ _____

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** =	_____	X _____ = _____
Independent Claims	_____	- 3** =	_____	X _____ = _____
Multiple Dependent	_____	_____	_____	_____ = _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity

Large Entity	Small Entity	Fee Description	Fee Paid		
Fee	Fee	Fee			
Code	Fee	Code			
103	18	203	9	Claims in excess of 20	0.00
102	80	202	40	Independent claims in excess of 3	0.00
104	270	204	135	Multiple dependent claim, if not paid	0.00
109	80	209	40	**Reissue independent claims over original patent	0.00
110	18	210	9	**Reissue claims in excess of 20 and over original patent	0.00

SUBTOTAL (2) \$ _____

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	Surcharge - late filing fee or oath
127	50	227	Surcharge - late provisional filing fee or cover sheet
139	130	139	Non-English specification
147	2,520	147	For filing a request for ex parte reexamination
112	920*	112	Requesting publication of SIR prior to Examiner action
113	1,840*	113	Requesting publication of SIR after Examiner action
115	110	215	Extension for reply within first month
116	390	216	Extension for reply within second month
117	890	217	Extension for reply within third month
118	1,390	218	Extension for reply within fourth month
128	1,890	228	Extension for reply within fifth month
119	310	219	Notice of Appeal
120	310	220	Filing a brief in support of an appeal
121	270	221	Request for oral hearing
138	1,510	138	Petition to institute a public use proceeding
140	110	240	Petition to revive – unavoidable
141	1,240	241	Petition to revive - unintentional
142	1,240	242	Utility issue fee (or reissue)
143	440	243	Design issue fee
144	600	244	Plant issue fee
122	130	122	Petitions to the Commissioner
123	130	123	Petitions related to provisional applications
126	180	126	Submission of Information Disclosure Stmt
581	40	581	Recording each patent assignment per property (times number of properties)
146	710	246	For filing a submission after final rejection (see 37 CFR 1.129(a))
149	710	249	For each additional invention to be examined (see 37 CFR 1.129(b))
179	710	279	Request for Continued Examination (RCE)
169	900	169	Request for expedited examination of a design application

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 310.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Mark J. Fink

Signature: Mark J. Fink Date: September 28, 2001

Reg. Number: 45,270 Telephone Number: 303-740-1980

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